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S E C R E T STATE 129480

SIPDIS

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IN, BR, NO, IZ, MU, AE, QA, FR, GM, CA, NL, BE, AU, SW, MX, SF, MY,
JA, TX, CH
SUBJECT: DEMARCHE REQUEST: URGING IRAN TO RESOLVE AMCIT
CASES

REF: A. 09STATE94757
[1](#)B. 09BAGHDAD2181
[1](#)C. 09PARIS1046
[1](#)D. 09ASHGABAT993

Classified By: NEA Assistant Secretary Jeffrey Feltman
for reasons 1.4 (b) and (d)

[11.](#) (U) This is an action request for Embassies Rome, Canberra, Ankara, Jakarta, New Delhi, Brasilia, Oslo, Baghdad, Muscat, Abu Dhabi, Doha, Paris, Berlin, Ottawa, The Hague, Brussels, Vienna, Stockholm, Mexico City, Pretoria, Kuala Lumpur, Tokyo, Ashgabat, Beijing, and the U.S. Mission to the European Union. Please see the action request in paragraph 5.

[12.](#) (C) SUMMARY. The Department is closely monitoring the cases of six American citizens, Shane Bauer, Sarah Shourd, Josh Fattal, Kian Tajbakhsh, Reza Taghavi, and Robert Levinson, who are unjustly detained or missing in Iran. We ask action posts to raise these cases with relevant interlocutors and request their assistance in urging Iran's leadership) through the local Iranian Embassy and/or the host country,s mission in Tehran) to resolve these six American cases. The Secretary demonstrated the USG,s concern in her August 15 statement calling for the safe return of all missing or unjustly detained American citizens to the United States as quickly as possible so that they can be reunited with their families. This request was reiterated in the Secretary,s December 3 statement to commemorate the 1,000th day of Robert Levinson,s disappearance. On November 25, the White House stated, &The Iranian government cannot earn the respect of the international community when it

violates universal rights, and continues to imprison innocent people.⁸ END SUMMARY.

Rationale

¶13. (S) The Department is directing selected posts to request assistance from the host government (and from Brussels in the case of USEU) in pressing the Government of Iran to resolve the cases of six American citizens who are missing or unjustly detained in Iran, namely: Robert Levinson, who disappeared in March 2007 on Kish Island; Kian Tajbakhsh, who was sentenced on October 19 to 15 years in prison on charges of violating national security; Reza Taghavi, who has been in prison without formal charges since May 26, 2008; and Shane Bauer, Sarah Shourd, and Josh Fattal, who have been detained without formal charges since July 31, 2009 when they were hiking near the Iranian-Iraqi border.

¶14. (S) The goal of the demarche is to secure support from a diverse range of diplomatic allies who can positively influence Iran's decision-making on this critical issue, with arguments solely based on humanitarian grounds rather than political, to try to take the issue out of the bilateral context.

Action Request

¶15. (C) Posts are requested to approach appropriate host government officials as soon as feasible and request assistance in urging the Iranian government) through the resident Iranian Embassy and/or the host country,s mission in Tehran) to release the six American citizens as a humanitarian gesture. Post should draw from the points in paragraph 7, which may be left as a nonpaper.

Objectives

¶16. (C) Posts should seek to achieve the following:

-- Emphasize the United States, commitment to the protection of American citizens abroad.

-- Convey that international interest in the six cases will remain high until a just outcome is reached.

-- Request the host government,s assistance in pressing the Iranians to release the six Americans as a humanitarian gesture and sending Iran a message not to politicize their cases. For the case of Robert Levinson, convey the importance of resolving his whereabouts.

-- Convey the importance of raising all six cases, not just those that are better known, such as the three hikers.

-- Convey to your interlocutors that should the Iranians raise the issue of missing or detained Iranian nationals in the United States, they should inform the Iranians that the United States is willing to consider these concerns once they are officially communicated to the Department via the Iranian Interests Section at the Embassy of Pakistan in Washington, DC, as the United States has done with its cases via its Swiss Protecting Power in Tehran.

Talking Points / Non-paper

¶17. (SBU) Begin talking points / nonpaper:

-- Ensuring the safety and security of American citizens overseas is a priority for the United States. As demonstrated in Secretary Clinton,s August 15 statement, the

United States is deeply concerned about the welfare of our American citizens who have been detained or are missing in Iran. These are fundamentally humanitarian concerns; none of these people should be used for political gain. This request was reiterated in the Secretary's December 3 statement to commemorate the 1,000th day of Robert Levinson's disappearance. On November 25, the White House stated, &The Iranian government cannot earn the respect of the international community when it violates universal rights, and continues to imprison innocent people.⁸ We once again urge Iran's leadership to quickly resolve all outstanding American citizen cases.

-- This includes the case of the American scholar, Kian Tajbakhsh, who has spent his career working to improve the quality of life of the people in Iran, through his work as an urban planner. The government of Iran should commute his sentence and immediately release Mr. Tajbakhsh and allow him to depart Iran. On November 25, the White House made a statement expressing our concern for Kian's unjust detainment.

-- Regarding the three American hikers, Joshua Fattal, Shane Bauer, and Sarah Shourd, who were detained by Iranian authorities on July 31, after accidentally crossing the border from Iraq, we call on the Iranian government to permit these three American citizens immediate contact with their families and to release them without further delay.

-- Reza Taghavi, a 71 year-old retired businessman in failing health, was taken into custody on May 26, 2008 and remains imprisoned without formal charges. The government of Iran should immediately release Mr. Taghavi from detention and allow him to depart Iran.

-- We also remain concerned about the case of Robert Levinson, who has been missing in Iran since March 9, 2007. We call on the Government of Iran to provide any and all information it may have on his whereabouts and to assist in ensuring his prompt and safe return to the United States.

-- Our goal is to ensure the safe return of all our missing or unjustly detained American citizens to the United States as quickly as possible so that they can be reunited with their families.

End points

Background

18. (C) The hikers: On July 31, Iranian authorities detained Shane Bauer, Sarah Shourd, and Josh Fattal while hiking near the Iraq/Iran border. On August 11, the Swiss Ambassador to Iran received confirmation by phone of the detention of three American hikers from the Iranian Vice Minister for Europe, and was granted consular access on two occasions, September 29 and October 29. The Swiss Ambassador and SPP continue to follow up with the MFA and the Iranian Mission in Bern with little success despite repeated requests for the three hikers to contact their loved ones and for additional consular visits. Having given the Iranian government time to resolve the case quietly, the families are now publicizing their concerns about their children's welfare and have enlisted Congressional, Executive, and Foreign Mission support. The Secretary released a statement on August 15 on the five AmCit cases in Iran (the hikers, Tajbakhsh, and Levinson).

19. (C) Kian Tajbakhsh: Iranian authorities arrested dual U.S.-Iranian citizen scholar Kian Tajbakhsh in his home in Tehran on July 9 and he remains in prison. An expert on urban planning, he used to work in Iran in association with the Open Society Institute. Kian was sentenced to 15 years in prison on October 19 on charges of violating national security; he has filed an appeal, but a court date has not been set. In 2007, he was arrested along with Iranian-American scholar Haleh Esfandiari on charges of

endangering Iran's national security and released four months later. According to Iranian media, during the August 1 show trial Tajbakhsh and Iranian-Canadian Newsweek reporter Maziar Bahari both &confessed8 to being part of a conspiracy funded by Western NGOs and propagated by the media to bring about a victory for Mousavi. Tajbakhsh's family is actively raising his case with the media and has requested USG involvement in doing the same.

¶10. (C) Reza Taghavi: Iranian authorities arrested dual U.S.-Iranian citizen Reza Taghavi in his home in Tehran on May 26, 2008 and he remains in prison. He has been accused of espionage and fomenting a &velvet8 revolution, although no official charges have been lodged against him. He was initially held in the political section of Evin Prison, but has since been moved to the &normal8 section of the prison.

The Taghavi family initially did not seek USG involvement, due to the potential negative affect it could have on his case. The family changed their minds following the cancellation of his court hearing on August 10. Mr. Taghavi appeared before a court on November 25, where he asked for his release, but the judge did not make any comments; another trial date has been set for February 18, 2010. Pierre Prosper, attorney and former Ambassador of War Crimes Issues, represents the Taghavi case in the U.S.

¶11. (S) Robert Levinson: The former FBI agent was last seen on Kish Island on March 9, 2007. Although the Iranians consistently deny knowing what happened to Levinson, we have strong reason to suspect that he is being detained in Iran. Levinson family members continue to lobby for greater USG activity and media attention to the case. While Iranian authorities promised the Levinson family they would share the results of their investigation, that promise has yet to be fulfilled.

Reporting Requirement

¶12. (U) Post is instructed to report the results of its efforts by January 8.

Point of Contact

¶13. (U) Department POCs for follow-up are: Michael G. Spring, NEA/IR, 202-647-2516, SpringMG@State.gov; Brianne Marwaha, NEA/IR, 202-647-2569, MarwahaBC@State.gov; and Carolee Walker, CA/OCS/ACS/NESCA, 202-647-4997, WalkerCB@State.gov

¶14. (U) Department thanks posts for its assistance. Please slug all responses for NEA/IR, CA, P, and the NSC.
CLINTON